

GENERAL ORDERS, }  
No. 72. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, September 10, 1861.

I.—At the General Court Martial which convened at Camp Brown, Santa Rosa Island, Florida, pursuant to Special Orders No. 44, of July 20, 1861, from the Head Quarters of the Department of Florida, and of which Lieut. Col. JOHN CREIGHTON, 6th Regiment N. Y. Volunteers, is President, was arraigned and tried Second Lieutenant *Theodore Evarts*, of the 6th Regiment N. Y. Volunteers, on the following charges and specifications, viz :

CHARGE I.

“Violation of the 42d article of the Rules and Articles of War.”

Specification—“In this; that *Theodore Evarts*, 6th Regiment N. Y. Volunteers, did, on or about the night of July 11, 1861, absent himself and remain absent from Camp Brown, near Fort Pickens, Florida, without permission from his Commanding Officer, until the next day.”

CHARGE II.

“Violation of the 45th article of the Rules and Articles of War.”

Specification—“In this; that the said Second Lieutenant *Theodore Evarts*, having been detailed for and being on duty in command of a fatigue party, at or near Fort Pickens, Florida, did become so drunk as to be unable to perform his duty. This was on or about the 11th day of July, 1861.”

CHARGE III.

“Violation of the 83d article of the Rules and Articles of War.”

Specification 1st—“In this; that the said Second Lieutenant *Theodore Evarts* was disgracefully drunk on or about the night of the 11th of July, 1861, at or near Fort Pickens, Florida.”

Specification 2d—“In this; that the said Second Lieutenant *Theodore Evarts*, at the time and place aforesaid, being drunk, did lie down in the guard-room among the enlisted soldiers, and did there pass the night of the 11th of July, 1861.”

To which charges and specifications the accused pleaded "Not Guilty."

FINDINGS OF THE COURT.

- "Of the *Specification* to 1st CHARGE, Guilty."
- "Of the 1st CHARGE, Guilty."
- "Of the *Specification* to 2d CHARGE, Not Guilty."
- "Of the 2d CHARGE, Not Guilty."
- "Of the 1st *Specification* to 3d CHARGE, Not Guilty."
- "Of the 2d *Specification* to 3d CHARGE, Guilty, substituting the words under the influence of liquor for the word drunk."
- "Of the 3d CHARGE, Guilty."

SENTENCE.

The Court does, "therefore sentence him, 2d Lieutenant *Theodore Evarts*, of the 6th Regiment New York Volunteers, to be dismissed the service of the United States."

II.--In conformity with the 65th Article of War, the proceedings of the General Court Martial in the foregoing case have been transmitted to the Secretary of War, and by him laid before the President of the United States, and the following are the orders thereon:

WAR DEPARTMENT, September 9, 1861.

The proceedings of the Court in the foregoing case are approved; but in consideration of the recommendation of a majority of the members of the Court, the sentence is remitted. Second Lieutenant Evarts will be released from arrest and returned to duty.

SIMON CAMERON,

*Secretary of War.*

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III.--At the General Court Martial which convened at Camp Brown, near Fort Pickens, Florida, pursuant to Special Orders No. 45, of July 29, 1861, from the Head Quarters of the Department of Florida, and of which Major WILLIAM NEWBY, 6th Regiment New York Volunteers, is President, was arraigned and tried Lieutenant *James A. Haggerty*, of the 6th Regiment New York Volunteers, on the following charges and specifications, viz:

## CHARGE I.

*“Violation of the 24th article of the Rules and Articles of War.”*

*Specification*—In this; that the said 1st Lieut. *James A. Haggerty*, did use blasphemous and threatening language to Lieut. *James J. Heary* on the 25th day of July, 1861.

## CHARGE II.

*“Violation of the 45th article of the Rules and Articles of War.”*

*Specification*—“In this; that the said 1st Lieut. *James A. Haggerty* was so much under the influence of intoxicating liquor, while acting as Officer of the Guard, on the afternoon of Thursday, the 25th July, 1861, as to be unable to perform his duties properly.”

## CHARGE III.

*“Violation of the 99th article of the Rules and Articles of War.”*

*Specification*—“In this; that the said 1st Lieut. *James A. Haggerty* did strike private *Charles P. Lange*, of Company “C,” of the 6th Regiment New York Volunteers, with his sword, three times, without provocation, on the afternoon of July 25, 1861.”

*Specification*—“In this; that the said 1st Lieut. *James A. Haggerty* did strike private *George White*, of Company “H,” of the 6th Regiment of New York Volunteers, on the head, with his sword, while said White was posted as a Sentinel on picket duty, and did otherwise abuse him on the night of the 25th July, 1861; all this at Camp Brown, near Fort Pickens.”

To which charges and specifications the accused pleaded “Not Guilty.”

## FINDINGS OF THE COURT.

“Of first *Specification* to first CHARGE, Guilty.”

“Of *Specification* to second CHARGE, Guilty.”

“Of first *Specification* to third CHARGE, Guilty.”

“Of second *Specification* to third CHARGE, Guilty.”

## SENTENCE.

The Court "does therefore sentence Lieutenant *James A. Haggerty* to be cashiered."

IV--In conformity with the 65th Article of War, the proceedings of the General Court Martial in the foregoing case have been transmitted to the Secretary of War, and by him laid before the President of the United States, and the following are the orders thereon :

WAR DEPARTMENT, *September 9, 1861.*

The proceedings of the Court in the case of Lieutenant *James A. Haggerty*, having been submitted to the President, he confirms them, and directs the sentence to be carried into execution.

SIMON CAMERON,

*Secretary of War.*

V--The General Courts Martial, of which Lieut. Col. *John Creighton* and Major *William Newby* are the Presidents, are dissolved.

BY ORDER :

L. THOMAS,

OFFICIAL:

*Adjutant General.*

*Assistant Adjutant General.*